

Application No. 10/629,254  
Amendment "A" dated April 5, 2006  
Reply to Office Action mailed July 29, 2003

### REMARKS

Applicants express appreciation to the Examiner for the recent interview granted to applicants' representative. At the interview proposed amendments to claims 25 and 41 (as represented by new claim 42 replacing claim 41) were proposed and discussed in relation to the applied prior art of record (LaRue). Claim 25 has been amended as proposed at the interview, and new claim 42 has been presented as proposed, thus, by this paper, claims 25 – 32 and 35 have been amended, and claims 36 – 41 have been cancelled without prejudice. Independent claims 25 (directed to a method) and 42 (directed to a corresponding computer program product), with depending claims 26 – 35 are therefore presented for reconsideration.

In particular, as noted in the interview summary, "Applicants' representative proposed amendments to . . . clarify and more clearly define the data structure of the catalog and how the catalog is used to map data from the data store layer . . . to a logical view in the synchronization layer, where the logical view is substantially similar to the logical view of other platforms so that synchronization can be carried out notwithstanding the different physical storage parameters of the different platforms. . . . These claims appear to define over the art of record, although the examiner will update the search before making any final determination of patentability." Further, "New claim 42 to a corresponding computer program product appears to overcome the 101 issue. . . ." Accordingly, for the reasons discussed at the interview and the further remarks herein, favorable reconsideration and allowance of the claims as presented is requested.

In the Office Action, prior claim 41 was rejected under 35 U.S.C § 101 as defining non-statutory subject matter, and all claims were rejected under 35 U.S.C § 102(b) as anticipated by U. S. Pat. No. 6,401,104 (LaRue et al.).

Claim 41 has been cancelled, hence the rejection as non-statutory is moot. Further, and in any event, new claim 42 defines "a computer program product for implementing within [a] computer network a method for mapping of physical layout of items in a data store layer of a platform to a logical view in a synchronization layer of the platform." The computer program product comprises "a computer readable medium having stored thereon computer-executable instructions for implementing" the various acts of the method as defined in the remainder of the claim. Thus, claim 42 is not directed to nothing more than "software," but rather, to a statutory article of manufacture which, used in conjunction with the computer network, accomplishes a particular tangible and useful result (e.g., "mapping of physical layout of items in a data store

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layer of a platform to a logical view in a synchronization layer of the platform"). Thus, for the reasons noted, and as recognized in the interview summary, claim 42 overcomes the non-statutory subject matter rejection, and favorable reconsideration is thus requested.

With respect to the rejection on art, as reflected in the interview summary, applicants independent claims 25 and 42 define a method that is substantially different from LaRue et al., and which "appears to define over the art of record." In particular, LaRue et al. is directed to a system and method for synchronizing three or more datasets of a user, with no one dataset or synchronization system being guaranteed to participate in every synchronization. Abstract. When two datasets that contain synchronization status information synchronize with each other, they not only synchronize user data and exchange status information involving each other, but they also synchronize and exchange status information involving "third-party" datasets that may not be participating in the synchronization. In this way, synchronization status information collected in an earlier synchronization is made available in a later synchronization, even if the earlier and later synchronizations are not conducted by a same synchronization system or do not both include a common, permanently designated "hub" dataset. Id.

LaRue et al. does not disclose or suggest applicants' method as defined in claims 25 and 42, which is used in "a computer network comprised of different types of platforms for storing replicas of the same data, and wherein the limitations or features of a particular platform may require the data of a replica to be stored in a different physical arrangement at the data store layer of the particular platform." Thus, in the context of a computer network where, "when synchronizing the replicas, the data for each replica must be mapped from the different physical arrangement at each platform into a logical view table of a synchronization layer of the particular platform that is substantially similar to the logical view table at each of the other different types of platforms," applicants' claimed method accomplishes "mapping of the physical layout of items in a data store layer of a platform to a logical view in a synchronization layer of the platform." Again, this is simply not addressed by LaRue et al., nor does that reference anticipate or make obvious, either singly or in combination with any other prior art of record, the claimed method, which, as defined in the claims, is comprised of "compiling at the computer system of the platform a logical schema into a catalog that can be used to define a logical view that is substantially the same for each platform, and that includes a logical grouping of data items by defining the data items in terms of a change unit that defines the granularity of a group of data

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items in the sense that if any part of the group of data items is modified, the entire group of data items will be synchronized when synchronizing other replicas, and a consistency unit, defining the minimum group of data items that must be reported during synchronization if any item of the group is changed." The catalog is then utilized "to map items from a physical layout to the logical view that is substantially similar to the logical view at different platforms of one or more other computer systems."

For at least the foregoing reasons, the claims are believed to be in condition for allowance and thus favorable reconsideration and action is respectfully requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 26th day of May, 2006.

Respectfully submitted,

  
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